

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA

V.

TERRANCE L. WATERS

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No. 3:07-MJ-1059
(SHIRLEY)

ORDER

This matter came before the undersigned for a preliminary hearing pursuant to Fed. R. Cr. P. 5.1 on May 31, 2007. Hugh Ward, Assistant United States Attorney, was present representing the government and Allen Schwartz and John Valliant were present representing the defendant. At the hearing, FBI Agent Kevin White testified on direct examination as to arrangements and dealings between co-Defendant Cradic and a confidential informant regarding the sale of 10 kilograms of cocaine. Agent White further testified to the arrangements and dealings between co-Defendant Cradic and Defendant Waters regarding a drug transaction on May 23, 2007, and testified as to the events of the drug transactions to wit: that Defendant Waters gave Defendant Cradic a bag of money (over \$150,000) in exchange for a duffel bag of cocaine (10 kilograms) and events regarding Defendant Waters leaving of the scene and subsequent arrest, and statements and admissions made by Defendant Waters thereafter regarding his intent to sell this cocaine.

FBI Agent Mickey Nocera, was called as the government witness regarding the facts and circumstances leading up to the arrest of Defendant Waters. Attorneys Allen Schwartz and John Valliant, cross-examined Agent White and Agent Nocera.

Based on the testimony and evidence presented at the hearing, the Court finds there is probable cause to believe the charged offense was committed and that it was committed by Defendant Waters. In particular, the Court finds there is probable cause to believe Defendant Waters, aided and abetted by Defendant Cradic, knowingly, intentionally,

and without authority possessed with intent to distribute 5 kilograms or more of cocaine.

Accordingly, it is **ORDERED** that the Defendant is therefore held to answer in the District Court.

IT IS SO ORDERED:

ENTER:.

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge